

STATE PROPERTIES COMMITTEE

Tuesday, November 9, 2004

The meeting of the State Properties Committee was called to order at 10:05 A.M. by Chairman Jerome F. Williams. Other members present were, Genevieve Allaire Johnson, Esquire, representing the Department of Attorney General, Mr. Robert Griffith, representing the Department of Administration, Senator John McBurney and Mr. Thomas Barry. Also present were, Messrs. Robert Brunelle and Arn Lisnoff, from the Department of Administration; Ms. Maureen McMahon, Michael Mitchell, Esquire and Messrs. Andrew Cardillo, Daniel Clarke, Robert Jackson and William McCarthy, from the Department of Transportation; Louis Saccoccio, Esquire and Mr. Steve Marginson, from CCRI; Messrs Jay Lindgren, Warren Hulbert and Larry Bacher, from the Department of Children, Youth and Families; Jane Morgan, Esquire, from the Department of Mental Health, Retardation and Hospitals; Jacqueline Kelley, Esquire and Ms. Gail Dunphy, and Mr. Daniel Evangelista from the Department of Human Services; Richard Bianculli, Esquire and Ms. Lisa Bryer, and Ms. Thomas Tighe, from the Town of Jamestown; and, Messrs. James McGinn and John O'Brien, from the Department of Environmental Management;

The Minutes of the meeting held on October 26, 2004 were approved.

1. OLD BUSINESS
2. NEW BUSINESS – Miscellaneous - The next meeting of the State Properties Committee is scheduled to be held on Tuesday, November 23, 2004.

ITEM A - DEPARTMENT OF CORRECTIONS – Adult Probation and Parole –

A request was made by the Department for approval and signatures on a Lease Amendment for office space at 249 Roosevelt Avenue, Pawtucket.

At the request of the Department, this item was deferred to November 23, 2004.

ITEM C – BOARD OF GOVERNORS FOR HIGHER EDUCATION – CCRI –

A request was made by the Department for approval and signatures on a Grant of Easement with the Narragansett Electric Company for installation of utility services to the CCRI Campus, Newport.

This is a utility easement for the Narragansett Electric Company that is required to provide electrical services to the new Newport Campus of the Community College of Rhode Island. Approval was subject to receipt of the Certificate of Insurance from Narragansett Electric Company.

A Motion was made by Mr. Thomas Barry and seconded by Ms. Genevieve Allaire Johnson to approve the request of the Board of Governors for approval and signatures on a Grant of Easement with the Narragansett Electric Company for installation of utility services to the CCRI Campus, Newport. Approval was subject to receipt of the Certificate of Insurance from Narragansett Electric Company

Passed Unanimously

ITEM I - DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on renewal of a License Agreement with Apex Development LLC for land along Main Street in Pawtucket.

This is a renewal of the License Agreement with Apex Development Company, LLC for 29,500 square feet of land along Main Street in Pawtucket. This is for vehicle parking. This is a five (5) year agreement. The term of the agreement is September 1, 2004 to August 29, 2009. Rent is at the rate of \$983.33 per month. This is a paved lot and is used in conjunction with the Registry of Motor Vehicles and is used predominately for employee parking at the Registry. This agreement is revocable-at-will.

Senator McBurney joined the meeting at 10:10 A.M. and a recap of this presentation was made.

A Motion was made by Mr. Barry and seconded by Ms. Allaire Johnson to approve the request of the Department for approval and signatures on renewal of a License Agreement with Apex Development LLC for land along Main Street in Pawtucket.

The Chair, Mr. Jerome Williams, voted “Aye”, Mr. Robert Griffith voted “Aye”, Mr. Thomas Barry voted “Aye”, Ms. Genevieve-Allaire Johnson voted “Aye”, and Senator McBurney voted “Naye”.

The Motion passed with a 4-1 vote.

ITEM J - DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on a License Agreement with The Prout School for use of 200 square feet of land along Tower Hill Road in South Kingstown. This agreement allows The Prout School to erect a sign for the school. The term of the license is for three (3) years commencing July 1, 2004 to June 30, 2007. The license is being granted at cost recovery, which is in excess of fair market value. The fee is Six Hundred Dollars (\$600.00) per year.

A Motion was made by Mr. Griffith and seconded by Mr. Barry to approve the request of the Department for approval and signatures on a License Agreement with The Prout School for use of 200 square feet of land along Tower Hill Road in South Kingstown.

Passed Unanimously

ITEM K – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on Warranty Deed with Robert M. Cournoyer for acquisition of Plat 2489, Woonsocket, for the Blackstone River Bikeway.

The State Properties Committee conceptually approved acquisition of Plat 2489, Parcels 5A, 22A, 23A and 25A totaling 176,181 square feet on October 12, 2004. The property owner is in full agreement with the amount of just compensation in the amount of \$193,800. The Warranty Deed references Assessors Plat 37, Lots 226, 227, 228 and Assessors Plat 38, Lot 118.

A Motion was made by Mr. Barry and seconded by Mr. Griffith to approve the request of the Department for approval and signatures on Warranty Deed with Robert M. Cournoyer for acquisition of Plat 2489, Woonsocket, for the Blackstone River Bikeway.

Passed Unanimously

ITEM L – DEPARTMENT OF TRANSPORTATION- A request was made by the Department for approval of Condemnation Plat 2635 for improvements to Dean, Cahir and Stuart Streets, Providence.

On July 13, 2004, the Department received conceptual approval to obtain the necessary acquisitions and easements for Condemnation Plat 2635 for improvements to Dean, Cahir and Stuart Streets, from West Exchange Street to Point Street, Providence. There have been changes to ownership of Parcels 11, 14, 47, 18, 19, 29, 31, 42, 44, and 49, and design change in Parcels 1, 2, 3 and 4. The total amount of compensation has been reduced from \$97,176 to \$94,886. This project is 80% Federally funded.

The Chair, Mr. Williams asked the Department do a comparison relative to the properties that were sold vs the appraisals that had been done, and report back to the Committee at the next meeting.

A Motion was made by Mr. Griffith and seconded by Ms. Genevieve Allaire Johnson to approve the request of the the Department for approval of Condemnation Plat 2635 for improvements to Dean, Cahir and Stuart Streets, Providence.

Passed Unanimously

ITEM M – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on Purchase and Sales Agreement with Woodfield Farms LLC for conveyance of land on Tollgate Road, Warwick.

On July 13, 2004, the Department received conceptual approval to appraise and negotiate for the sale of 3.5 acres of land in Warwick to Woodfield Farms LLC. Woodfield Farms LLC is in a Purchase and Sales Agreement to acquire a large tract of land (LaFlemm farm) for residential development. Woodland Farms LLC approached the Department and requested to purchase 3.5 acres of landlocked property. Since the time of conceptual approval, the Department has had the property appraised and it has been appraised at \$.90 per square foot for \$137,000.00. Mr. Peskin (Woodfield Farms LLC) intends to seek a change of zoning classification and may enter into certain agreements with the City of Warwick regarding the use of and access to the property and apply for any other permits and approvals necessary to develop the property. He is under Purchase and Sales to purchase the LaFlemm farm. The Department has negotiated a Purchase and Sales Agreement for the sale of this State land, subject to State Properties Committee approval, and subject to Mr. Peskin's purchase of the larger tract of land. The Department was

looking for conceptual approval and approval and signatures of the Purchase and Sales Agreement, and will return for final approval and signatures on a Deed if the negotiations are successful. The Department requests approval and signatures on Purchase and Sales Agreement laying out the details of the proposed sale. A discussion took place about the buffer zones to the property. The property was acquired by condemnation and the surplus process has been completed.

A Motion was made by Mr. Barry and seconded by Ms. Allaire Johnson to approve the request of the Department for Purchase and Sales Agreement with Woodland Farms LLC for conveyance of 3.5 acres of land on Tollgate Road, Warwick.

Passed Unanimously

ITEM B – DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES –
Presentation – Community Transition Homes.

The Chair, Mr. Williams explained that the Committee has asked agencies to make presentation's of large projects prior to seeking approval on various items.

Director Jay Lindgren, from the Department of Children, Youth and Families, gave a presentation to the Committee, and a request was made by the Department for permission to prepare an RFP for a real estate firm.

The DCYF Training School has been under a Consent Decree and much of the programmatic aspects of that Consent Decree have been cleared up. The major stumbling block has been the condition of the existing facility. The Department has concluded there was no way by revamping the current facility that the Department could come into compliance. The Department's ultimate goal is to arrive at a point where it could be accredited by a National organization, the American Association of Corrections. The Governor and the General Assembly had concluded that the Department would vacate the

entire campus where it is, and take most of what it wants to do programmatically to the other side of highway 37, where it now has a small program for girls and a small program for boys. Then controversy arose about the size of the site and the conditions of that site and there were some plans initially to put the entire program there. After much discussion with the Governor and leaders of the Assembly, a decision was made to only put part of the program there. What the Department plans to do on the site the other side of Rt 37 is to put a 96 bed, very secure facility under one roof for boys. Further up on the complex, closer to Howard Avenue, the Department will build a Detention Center. That will be for boys only and contain 52 beds. The Department plans to privatize the girls facility, about 20-25 beds, go to the profit or not for profit sector to operate that program and to find a place off site of the Pastore Complex.

The Department would like to establish seven (7) ten bed facilities in the communities that the boys come from. These will be called Transition Homes. The facilities would be staffed by the Department's staff. There are no specific locations at this time, but the general areas would be Acquidneck Island, Newport or the area around Newport, possibly Portsmouth; Providence, Pawtucket—Central Falls area; Warwick or West Warwick area and Woonsocket. The Department will come back to the Committee with specifics as it goes forward. The Department has looked at State property and has not been successful. It will look to the private sector. It is the Department's goal to stay out of the regular residential neighborhoods and would prefer to be in semi-industrial, or communities that are more transient in nature, but wants to fit in and not be out in the fields. It will be looking for ¼ or ½ acres for these facilities. Director Lindgren gave an in-depth concept of the Department's program. Discussion ensued. The seven (7) ten bed programs give the Department opportunity to qualify for Medicaid reimbursement.

The Department would like to ask the Committee for permission to go out for an RFP and hire a real estate broker given the perimeters it is looking for and have them search in the communities. The first effort has been to look at all State owned land and the second has been to talk to private non-profits, such as the Airport Corporation and other non-profits. The Department is moving towards having to go outside to privately held property, but not before looking at everything else first. There has been no determination as yet as to disposition of the property DCYF will be vacating.

A request was made by the Department for permission to prepare an RFP for a real estate firm.

A Motion was made by Mr. Barry and seconded by Mr. Griffith to approve the request of the Department to prepare an RFP relative to hiring a real estate firm to solicit properties for the Department's Transition Homes.

Passed Unanimously

Senator McBurney left the meeting.

ITEM D – DEPARTMENT OF MENTAL HEALTH, RETARDATION & HOSPITALS – A request was made by the Department for final approval and signatures on an Agreement transferring property located at 80 Summit Street, Pawtucket, to the Northern Rhode Island Community Mental Health Services.

This Agreement transfers property at 80 Summit Street, Pawtucket to the Northern Rhode Island Community Mental Health Services, which is known as the Wilson House. The Wilson House is a twenty-four (24) bed facility for men. The Department is transferring this facility to the Northern Rhode Island Community Mental Health Center with the restriction that if it no longer uses the facility for the purposes for which the Department is transferring it to them, it will revert back to the State. Or, if it

sells the property, it would be required to use the proceeds of that sale to purchase another substance abuse/behavioral health treatment facility. If they do not use the proceeds of the sale to purchase a residential substance abuse/behavioral health treatment facility, the proceeds of the sale of the property shall revert to the State. This matter was conceptually approved on August 17, 2004. Since that conceptual approval, a request was made by the Rhode Island Historic Preservation Society that the property be conveyed with a historic preservation easement. Upon transfer of the property, the Northern Rhode Island Community Mental Health Center shall immediately grant to the State, through its Historical Preservation and Heritage Commission, a Historic Preservation Easement and Restriction. Such Historic Preservation Easement and Restriction shall be recorded by the Northern Rhode Island Community Mental Health Center with the City of Pawtucket, Recorder of Deeds and provided to the Historical Preservation and Heritage Commission.

A Motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department final approval and signatures on an Agreement transferring property located at 80 Summit Street, Pawtucket, to the Northern Rhode Island Community Mental Health Services.

Passed Unanimously

ITEM E –DEPARTMENT OF HUMAN SERVICES – Disability Determination Services – A request was made by the Department for approval and signatures on a Lease with Emanon Associates LP, for office space at 40 Fountain Street, (Gardner Building) Providence.

At the request of the Department, this item was deferred to November 23.

ITEM G – DEPARTMENT OF HUMAN SERVICES – A request was made by the Department for approval and signatures on a Fourth Amendment and Reformation and Indenture of Lease with the Boys’ and Girls’ Club of East Providence, Inc. relative to property at the Veterans Home.

The Department of Human Services owns land behind the Veterans Home in Bristol. The Department has a lease with the Boys’ and Girls’ Club of East Providence to operate a summer camp on the property and it is adjacent to the boat ramp. The Department of Environmental Management is planning to upgrade the boat ramp facility and in doing so, it needs to relocate a small area of their fence further into their property. This matter was conceptually approved on October 12, 2004. There have been no changes since that approval. The Department asked that this matter be approved subject to receipt of Certificate of Disclosure from the Boys’ and Girls’ Club of East Providence.

A Motion was made by Mr. Griffith and seconded by Mr. Barry to approve the request of the Department for approval and signatures on a Lease with the Boys’ and Girls’ Club of East Providence, Inc. relative to property at the Veterans Home. Approval was subject to receipt of Certificate of Disclosure from the Boys’ and Girls’ Club of East Providence.

Passed Unanimously

ITEM F– DEPARTMENT OF HUMAN SERVICES – A request was made by the Department for approval and signatures on a Cooperative Agreement with the Department of Environmental Management Division of Fish and Wildlife relative to property at the Veterans Home.

The Veterans Home property is located on the bay and there is a boat ramp to the water. This ramp is in disrepair and the Department of Environmental Management desires to repair the boat ramp. This was conceptually approved on October 12, 2004.

A Motion was made by Mr. Barry and seconded by Mr. Griffith to approve the request of the Department for approval and signatures on a Cooperative Agreement with the Department of Environmental Management Division of Fish and Wildlife relative to property at the Veterans Home.

Passed Unanimously

ITEM H – DEPARTMENT OF HUMAN SERVICES – A request was made by the Department for approval and signatures on a Memorandum of Agreement with the Self Help Community Action Program for office space at 100 Bullocks Point, Riverside.

The Department has closed its East Providence District Office. Self Help has offered to provide space in its facility where the Department could outstation staff for three days a week to provide access to its public assistance program for residents living in the East Bay area. The Department uses 500-600 square feet of space. Rent is at the rate of \$500.00 per month.

A Motion was made by Mr. Griffith and seconded by Mr. Barry to approve the request of the Department for approval and signatures on a Memorandum of Agreement with the Self Help Community Action Program for office space at 100 Bullocks Point, Riverside.

Passed Unanimously

The with exception of Item “I”, in which Senator McBurney voted “Naye”, all matters presented to the Committee were approved by all present.

There being no further business to come before the Committee, the meeting adjourned at 11:20 A.M.

Anne L. Lanni, Executive Secretary